



**DELL'ARTE  
MFA STUDENTS**  
Oscar Naya,  
Jill Murillo Hart,  
Dustin Curry,  
Nate FitzSimons,  
Sara Kei Wegmuller  
and Julieta Carza.  
See them perform live at the  
Cauldron of Destiny  
Thesis Festival.  
DELL'ARTE PHOTOS

**UNION** **MADRIVERUNION.COM**

**VOL. 8, No. 34 ❖ 12 PAGES ❖ WEDNESDAY, MAY 12, 2021 ❖ EST. 2013 ❖ \$1**



**HUMCO COVID COUNT**

**TESTS**  
89,546

**CASES**  
3,980

**RECOVERED**  
3,773

**HOSPITALIZED**  
165

**DEATHS**  
40

**VAX DOSES**  
98,226

**PARTLY VAXXD**  
13.68%

**FULLY**  
30.79%

**Monday, May 10: ORANGE TIER: Moderate risk – Some indoor business operations are open with modifications**

## COVID variant spurs 'turning of the tide'

**Daniel Mintz**  
MAD RIVER UNION

**HUMBOLDT** – A dangerous coronavirus variant is now dominant in Humboldt County, whose COVID-19 case rate is the second-highest in the state and whose children are getting sick more often and more severely.

A variant called B.1.1.7, loosely known as the UK variant, has been present in the state for months. But detections of it have been at low levels and there were none in Humboldt County.

But the variant has been spreading. During a May 4 update to the Board of Supervisors, Public Health Officer Dr. Ian Hoffman said that "now the evidence is clear – B.1.1.7 was here and it has been here and now we are seeing the effects of a more contagious, more virulent form of the coronavirus."

**COVID ❖ PAGE 4**

## Get used to dealing with COVID-19 & co.

**Daniel Mintz**  
MAD RIVER UNION

**HUMBOLDT** – Humboldt's top public health official has called attention to the need for long-term funding for managing COVID-19 and other infectious diseases.

The likelihood of the lingering presence of coronavirus was highlighted by Michele Stephens, director of the county's Public

Health Branch, during a May 4 Board of Supervisors COVID-19 update.

Vaccines have often been described a means of ending the pandemic, leading people to believe that the last chapter of the coronavirus saga is playing out.

But Stephens suggested that COVID-19 response is in a mid-phase and will continue indefinitely.

**CORONAVIRUS ❖ PAGE 4**



## UN-PALLET-ABLE

**NAILED IT** The PacOut Green Team cleaned up nails left behind from pallet fires at Mad River Beach last Saturday. There are on average 80 nails in a single pallet, and the fires leave sharp rusty nails in the surface of the sand. Top left, the wire core of a burned fire. Left, a bucket of harvested nails.

VIA PACOUT GREEN TEAM

## Trin businessman arrested after firearm, ammo seizure



**Michael Joseph Morgan**

**MAD RIVER UNION**

**TRINIDAD** – Humboldt County Sheriff's deputies served a search warrant at the Trinidad Bay Bed & Breakfast Tuesday, May 4 and arrested former Trinidad City Councilmember Michael Joseph Morgan, 56, for being in possession of firearms, which he is not allowed to have under the terms of a court-issued restraining order filed against him.

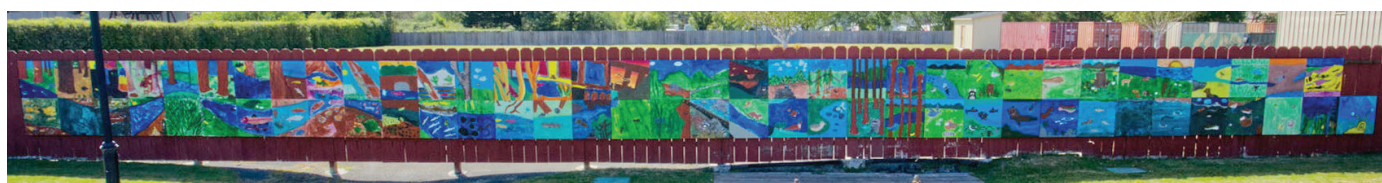
Deputies converged on the Edwards Street inn at 8 a.m. and located and seized eight firearms and a large quantity of ammunition that was owned by Morgan.

**MORGAN ❖ PAGE 4**

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**ART/SCIENCE/NATURE** As a partnership between artists and scientists, Playhouse Arts coordinated creation of art installations in the Creamery District highlighting the unique ecosystem of the Jolly Giant Creek. A permanent sculpture installation and a mural project were dedicated last Saturday. Sculptor James Hildebrandt built two massive sculptures, one seen at left, while the Playhouse Education team partnered with local youth to create a mural featuring the diverse wildlife in Jolly Giant Creek, above. Right, kinetic sculptor Robert Thoman. Below, Bandemonium.



PHOTOS BY MATT FILAR | UNION

## A JOLLIER GIANT

## Bottoms mega-grow foes file appeal to BOS

**Kevin L. Hoover**  
MAD RIVER UNION

**ARCATA** – In the 2000s, Arcata residents beseeched their political leaders to save them from industrial cannabis grow houses metastasizing throughout their neighborhoods.

Now, with cannabis legal and industry striving to meet demand with supply, some Arcata residents are again appealing to the powers that be to halt creation of a large-scale industrial cannabis grow on the Arcata Bottom.

**Read the letter protesting Planning Commission approval. Page 8**

They see the Arcata Land Company project – approved on April 22 by the county Planning Commission – as bringing a whole new set of problems to their neighborhoods, from traffic to noise to chemical contamination, groundwater, odor and more.

While planning staff and commis-



**FOOTPRINT** To convey the grow's scale, opponents have superimposed an 8-acre outline over four city blocks of downtown Arcata, including the Plaza.

TEAM 27TH GRAPHIC

sioners found that the project checked all the boxes for a site zoned Heavy Industrial with a Qualified Combining Zone – one located much farther away from nearby residences than legally required – opponents believe the project was approved based on inaccurate and inadequate environmen-

tal documentation, and that county planning staff failed to properly apply the California Environmental Quality Act (CEQA). The grow foes want an Environmental Impact Report, rather than the less-thorough Mitigated Negative Declaration (MND).

**BOTTOMS GROW ❖ PAGE 4**

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## Coast Central grants 11 senior scholarships

CCCU  
HUMBOLDT – Coast Central Credit Union President/CEO James T. Sessa announced that its Board of Directors has selected 11 exceptional high school seniors out of 50 applica-

tions submitted to receive up to \$55,000 in 4-year scholarships.

The students are required to attend either Humboldt State, Chico State, College of the Redwoods, or Shasta College

for at least the first two years.

### 2021 recipients

*Arcata High:*

Megan Bryant

*Eureka High:*

Klayre Barres

*Ferndale High:*

Trista Mayhorn

*Fortuna High:*

Gracie Betts

*Hayfork High:*

Vanessa Patton

*Hoopa High:*

Mackenzie Brazil

*McKinleyville High:*

Carmen Benavides-Garb

*Northcoast Prep Academy:*

Aiden Vayo Tur

*St. Bernard's Academy:*

Sabrina Gardner

*South Fork High:*

Kaylei Valk

*Trinity High:*

Scott Rupp

Established in 1986, the scholarship program awards funds based on a commitment to education,

either through extraordinary academic performance or significant and consistent improvement during high school, as well as financial need.

In addition to scholarships, Coast Central provides support through its Community Investment Grant and Sponsorship programs, as well as 2,000 hours annually through its Commitment to Community employee volunteer program.

"We are very proud to celebrate our 35th year of giving to deserving local high school students throughout Humboldt, Del Norte, and Trinity counties," Sessa stated. "As always, the Board committee members had a tremendous challenge in making their selections, as there are so many outstanding young people throughout our communities. On behalf of all of us at Coast Central, we congratulate all 2021 graduates on their accomplishments to date and wish them the best in the future."

## Commencement 2021

### HUMBOLDT STATE UNIVERSITY

HUMBOLDT STATE – Humboldt State University's Classes of 2020 and 2021 will return to small, in-person celebrations, with four commencement ceremonies spread out over two days in Redwood Bowl on Friday, May 14 and Saturday, May 15.

Ceremonies will be livestreamed so that families, friends, and the campus community can watch and celebrate the graduates' big moments. There will be a link on [humboldt.edu](http://humboldt.edu) the days of the events. A video recording of the ceremony will be available online for free at [commencement.humboldt.edu](http://commencement.humboldt.edu) in the weeks following.

There will be a combined ceremony for all colleges on Friday, May 14 and three college ceremonies on Saturday, May 15. They will be held rain or shine.

• **Friday, May 14, 4 p.m.** All Colleges Ceremony College of Arts, Humanities & Social Sciences; College of Natural Resources & Sciences; and College of Professional Studies will be in one combined ceremony.

• **Saturday, May 15, 9 a.m.** College of Arts, Humanities & Social Sciences

**12:30 p.m.** College of Natural Resources & Sciences  
**4 p.m.** College of Professional Studies

Face covering and physical distancing will be required at all times. Students, staff, faculty, and guests must perform a wellness self-check just prior to coming to campus. If anyone is feeling ill, have symptoms of COVID-19, or have potentially been exposed to someone with confirmed or suspected COVID-19, they should not attend the commencement event.

More than 2,100 students in the class of 2020 and 2,600 in the class of 2021 have earned degrees and credentials. More than 1,100 graduates have signed up to participate in the in-person commencement ceremonies. With the graduation of the Class of 2021, the California State University achieved a milestone—four million living alumni.

Humboldt State's first graduation event took place at Arcata's Minor Theatre in May 1915, with 15 women receiving teaching certificates.

This year's commencement will include a ceremony for Honorary Degree recipient Walter James Lara Sr. Lara is a respected spiritual leader and wisdom keeper of the Yurok Tribal people and recognized as a Native cultural and political luminary among Tribal Nations throughout the State of California. Lara has a long and enduring relationship with Humboldt State University. He made contributions to scholarship in which he shared his knowledge on Yurok tradition through publications and workshops. He will receive a Doctorate of Humane Letters during the College of Professional Studies ceremony on Saturday, May 15 at 4 p.m.

**CHINESE EXPULSIONS** Humboldt Asians and Pacific Islanders in Solidarity (HAPI) invite the public to a program focusing on Humboldt County's Chinese expulsions and their reverberations today. The program will be live on Zoom on Friday, May 14, from 5 to 6:30 p.m. and will feature a reading from Chinese American poet, Daryl Ngee Chinn; a look at the anti-Chinese exclusions and expulsions in Northern California by author-historian Jean Pfaelzer; and a panel discussion moderated by Ali Ong Lee about contemporary challenges facing the Asian community. Learn more about the Eureka Chinatown Project from organizer Brieanne Mirjah, and opt in to participate in a community conversation at the end of the program. Event cosponsors are the Humboldt State University Library (L4HSU), The Eureka Chinatown Project, and the Clarke Historical Museum. To register for the free event, go to [library.humboldt.edu/news/humboldtasianfutures](http://library.humboldt.edu/news/humboldtasianfutures). HAPI seeks to build and empower our community by amplifying, supporting, and encouraging diverse voices and perspectives to foster a more engaged and inclusive community. For more information, email organizers at [hapi.humboldt@gmail.com](mailto:hapi.humboldt@gmail.com).



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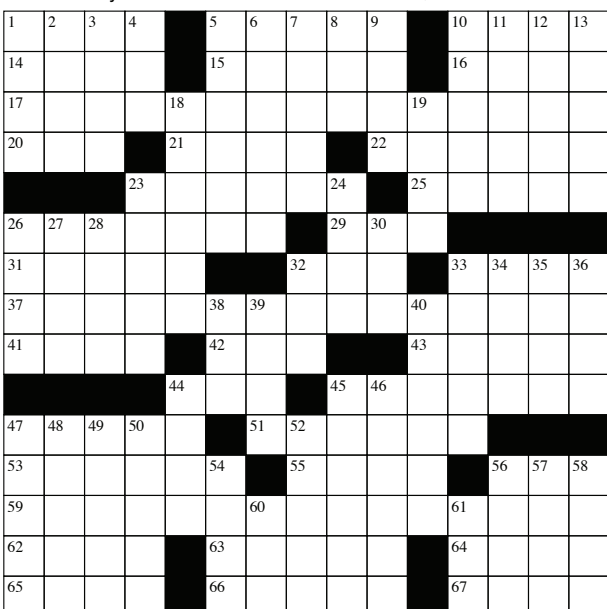
## CROSSWORD

### ACROSS

- Cooking fat
- Was able to
- Speedy
- Tell \_\_\_\_; be dishonest
- Of the countryside
- "Laugh-In" regular
- Performer's delight
- Letters of distress
- In the past
- Added item
- Largest
- Amounts to be swallowed
- Provides a coat with a new interior
- City in Oklahoma
- Watchful
- "You \_\_\_\_ what you eat"
- Levee
- Trip up; make helpless
- Went down smoothly
- Black or blue fluid
- Unscrupulous women
- Went first
- Burn up
- Fraternity letter
- Marks
- Turns away
- Mil. branch
- Refreshing spot
- Accept defeat
- Son of Seth
- Astaire's sister
- One of the 13 colonies: abbr.
- Bernadette and Genevieve: abbr.
- Helium and neon
- Fruity drinks

### DOWN

- Maiden
- Singing voice
- Coastal inlets
- TV room, often
- Draw back in fear
- Pound divisions
- Encourages
- Of an Asian nation
- Mid-6th-century year
- Unkind appellation
- April baby, often
- Put away
- Portable shelters
- "\_\_\_\_ others as you..."
- Day \_\_\_\_ half; 36 hours
- Brought on board
- Scarlett's place
- Encouraging cheers
- Israeli airline
- One of 12 biblical brothers
- Nickname for Kerr
- Flood refuge
- Small amounts
- Girl's name
- Retained
- Otherwise
- \_\_\_\_ for; try to win
- Finishes
- Retaliates for
- Do's forerunners
- Regal home
- Wealth
- Jackson and Smith
- \_\_\_\_-garde
- Black tea
- Squash
- Musical numbers
- Male animal
- Lean-to
- Yearen
- Curry and Cusack
- Harem room
- Auditor, often: abbr.



The weekly crossword is brought to you by **KINETIC KOFFEE**  
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# Jay and Fred, just a couple of regular guys

Week 60. I've been featuring a lot of big dogs lately. Here are two of the smaller dogs available for adoption through the Humboldt County Animal Shelter.

Jay and Fred are both about a year old, friendly and playful and ready to make their place in a home of their own.

Jay looks like a German Shepherd mix, scaled down to a more compact size. He has a soft, cinnamon-colored coat with black accents and bright golden eyes.

Jay is a pleasant walker and is ready to learn some obedience skills beyond the sit that he already knows.

Jay is friendly with other dogs and appeared to be respectful around the cats that he has met.

At just under 50 pounds he is big enough for any kind of outing while still being compact enough to squeeze into a small space in a



Jay



Fred

crowded car. We think this is an easy-going fellow who would do well in a variety of situations.

Fred appears to be a small Lab mix. We think he is related to a dog named Deja that was at the shelter with her puppies last summer. They were picked up from the same neighborhood and we know that there were more dogs at the same residence.

Deja and her pups, and

Fred too, appear to have some cattle dog in their lineage, based on their size, agility and eagerness to learn.

Fred is a quick learner. He is practicing his good leash manners and loves to master the agility equipment in the play yard. Fred weighs in at about 38 pounds.

He is playful and affectionate and will excel at obedience skills when they are offered.

Fred might be a candidate for a home with cats; he barked and ran

away when introduced to one.

The shelter offers a handout on introducing a dog to a home with cats that offers good suggestions for a smoother transition.


Both of these boys are neutered, micro-chipped and current on their vaccinations.

They are available for meet and greets by appointment.

The shelter is open Monday through Friday and appointments or more information is available at (707) 840-9132.

SERPENTINE ECOLOGY

Serpentine Ecology: wacky soils build glorious places" The California Native Plant Society (CNPS) invites the public to a Zoom presentation, "Serpentine Ecology: wacky soils build glorious places," Wednesday, May 12 at 7 p.m. Visit [northcoastcnps.org](http://northcoastcnps.org) for a link to the presentation. The Klamath-Siskiyou region, which overlaps the border with Oregon, has large areas of serpentine soils that often support rare plants. Botanist Kristi Mergenthaler, who is the stewardship director of Southern Oregon Land Conservancy and a long-term volunteer with the Native Plant Society of Oregon, will explain serpentine ecology and highlight some of special places and plants in Oregon's portion of this region. (707) 822-2015, [northcoastcnps.org](http://northcoastcnps.org)



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# Intervention team wades into Manila trespass camp

**HUMBOLDT COUNTY SHERIFF’S OFFICE**  
MANILA – Last week, Humboldt County Sheriff’s Office Special Service deputies were joined by representatives from the Eureka Police Department CSET, California Department of Fish and Wildlife, Humboldt County DHHS – Behavior Health and HOME program, and Open Door Community Health Centers, to conduct an outreach to houseless individuals at a trespass encampment in Manila.

The encampment, located in a greenbelt off of New Navy Base Road overlooking the bay, was established on private property without the owners’ consent. At the encampment the outreach team met with more than a half dozen occupants to connect them with resources for housing, food, an medical and mental health care.

The campers were also offered a COVID-19 vaccine and some were even vaccinated during the outreach. The individuals were advised of their trespassing status and were encouraged to seek shelter elsewhere to avoid future

criminal prosecution.

While on scene, law enforcement documented the many environmental and county code violations observed at the site and posted no trespassing signs. The documentation will be used for future prosecution should the individuals decline to seek housing services and continue trespassing.

We know there is no easy solution when it comes to homelessness. However, our office has been working closely with our community partners to find ways to help those experiencing homelessness in our county by prioritizing social services rather than criminal enforcement. We strive to connect people with the right resources, giving them every opportunity to choose a better situation prior to taking criminal enforcement actions.

If there’s an area in our county that you would like our deputies to visit for outreach and enforcement purposes, please fill out the online tip form at [humboldt.gov.org/.../Sheriffs-Crime-Tip-Form-114](http://humboldt.gov.org/.../Sheriffs-Crime-Tip-Form-114).



**EMBEDDED** The well-established camps were carved into the landscape.

PHOTOS COURTESY HCSO

# Mega-grow | City Council wants creation of project EIR

❖ FROM PAGE 1

An appeal was filed May 4 by 27th Street resident Jim Cotton on behalf of the group known as Team 27th, which helped raise the \$1,638 fee. A hearing before the Board of Supervisors is at least a month away.

Cotton said the project’s application and the attached MND were deeply flawed, containing inaccurate and misleading information. “They just make statements without any evidence,” he said. “It’s crazy.”

For example, he said, the conclusion that the well which will supply the project with water isn’t connected to surface water was supplied not by a qualified hydrologist, but by a well drilling company.

That and other points are made in the letter of appeal (*see page 8*).

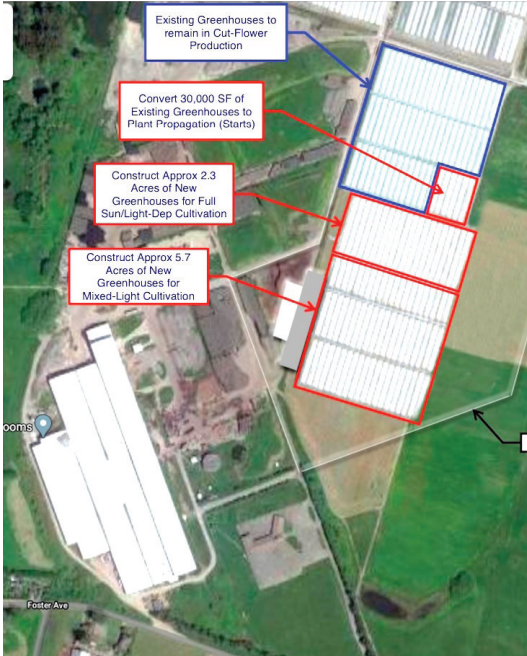
“The Planning Commission made decisions without accurate information on water and energy,” Cotton said. “It’s difficult to make any decisions without correct information.”

He said members of the Team 27th group have met with Third District Supervisor Mike Wilson, who helped explain the appeal process. Sunday, the group’s strategy committee met to refine its approach to outreach. Their operating philosophy, Cotton said, is to be “bold and courteous.”

Lane DeVries of Arcata Land Company has indicated disinterest in press inquiries. “If there is news, I will call you,” he said via email on April 6, ignoring a subsequent message.

At its April 21 meeting, the Arcata City Council wordsmithed a draft letter to the county Planco outlining the city’s concerns about the proposed grow facility.

The draft lacked any language calling for creation of a full EIR for the project, something councilmembers said had been requested by citizens in correspondence to the council.



**BOTTOMS GROW** The current Arcata Land Co. project’s footprint. VIA COUNTY OF HUMBOLDT

“Just more explicitly saying that an EIR would speak to these concerns that are being raised and the review process,” recommended Mayor Sofia Pereira.

“I totally agree with that because that really has been like a main point of what a lot of our constituents have been asking for is that a full EIR should be done,” said Councilmember Sarah Schaefer. “So I think that we should get that message across.”

Other councilmembers agreed, and voted to form a subcommittee of Pereira and Vice Mayor Brett Watson to finalize the council-recommended language.

The letter was presented to the county Planco at its meeting the next night, April 22, by Councilmember Stacy Atkins-Salazar.

But after its publication in the *Union*, Team 27th members still considered the language suggesting an EIR be conducted as too tentative and conditional, calling the final product a “discrepancy.” Monday, a member said the group may ask that the council further strengthen the EIR request.

# Morgan | Firearms, ammo confiscated

❖ FROM PAGE 1

Morgan was taken into custody and booked into the Humboldt County Correctional Facility on suspicion of being a prohibited person in possession of a firearm and for violating a court order.

This case is still under investigation.

“The Humboldt County Sheriff’s Office would like to thank the Eureka Police Department’s Problem

Oriented Policing Unit for their assistance with the service of this warrant,” stated a press release from the Sheriff’s Office.

Morgan has previously served on Trinidad’s City Council and Planning Commission. In 2018, he was voted off the Trinidad Planning Commission after he brandished some sort of stun gun or taser during a meeting. Citizens com-

plained of harassment by Morgan, and the Planco’s chair then described him as “a disruptive influence” who was slowing down the work of the commission.

Anyone with information about this case or related criminal activity is encouraged to call the Humboldt County Sheriff’s Office at (707) 445-7251 or the Sheriff’s Office Crime Tip line at (707) 268-2539.

# Bike Month Humboldt is now underway

**BIKE MONTH HUMBOLDT**

**HUMBOLDT** – The Bike Month Humboldt Coalition invites you to celebrate Bike Month this May. Whether you ride for fun, health, fitness, or take essential trips to work, school or shop, join the movement for safer streets, connected communities, and a healthier planet.

While there won’t be large public bicycle events this year, the Bike Month Humboldt Coalition encourages people to safely bike as often as possible and take part in this year’s activities. Activity details can be found at [BikeMonthHumboldt.org](http://BikeMonthHumboldt.org). Those taking part are encouraged to share photos on social media using [#BikeMonthHumboldt](https://www.instagram.com/BikeMonthHumboldt) and will be entered to win weekly prizes provided courtesy of our sponsors. .

All month long you can pick up a free Bike Month Humboldt bike plate at your local bike shop, City Hall, or the North Coast Co-op. Register for the Bike Challenge on Love to Ride at [BikeMonthHumboldt.org](http://BikeMonthHumboldt.org) and log rides, post pictures or stories for weekly prizes provided by our sponsors. Bring attention to local cycling by spending time on your bike every Sunday and on Sunday, May 16 head to Old Town Eureka for a scavenger hunt.

Please remember to practice social distancing, wear a face covering, and wash hands upon returning home.

If you or your child/ren are in need of a bicycle helmet, contact Healthy Communities staff at (707) 296-8729.

Want tips on cycling or how to be a bicycle friendly driver?

• **Monday, May 17, 6 to 7 p.m.:** a virtual Biking Skills Workshop. Humboldt Bay Bicycle Commuters Association will share videos and information on how to be visible when bicycling and safe riding strategies and techniques followed by discussion.

• **Wednesday May 12, noon to 1 p.m.** a virtual Friendly Driver Program. Best practice strategies will help participants gain an understanding of common collisions and how to avoid them, what is legal and what is not and how bicyclists, pedestrians and motorists can safely share the road.

The Bike Month Humboldt Coalition is supported by HCAOG, Humboldt Bay Bicycle Commuters Association, Caltrans, North Coast Co-op, Coalition for Responsible Transportation Priorities, BikesThere, Healthy Communities Division of the Public Health branch of the Humboldt County Department of Health & Human Services, California Office of Traffic Safety, and bike enthusiasts at large.

Thank you to this year’s sponsors Adventure’s Edge, Revolution Bicycles Arcata and Eureka, and the North Coast Co-op.

# COVID | Contagious B.1.1.7 strain driving new infections

❖ FROM PAGE 1

He reported that the county has seen an increase of cases “consistent with what we saw during the winter surge months” and recent hospitalizations “rival the worst weeks yet of the pandemic for Humboldt County.”

Younger people are “getting sicker,” Hoffman continued. He estimated that 22 percent of COVID-19 cases are among children now and the percentage used to be one to two percent.

Despite warnings from the U.S. Centers for Disease Control and Prevention that B.1.1.7 would be a dominant coronavirus strain by now, the state loosened its tier system of restrictions because a peak in cases and hospitalizations had declined.

In early April – when B.1.1.7 continued to covertly spread in Humboldt – the county was dropped from the red or substantial risk tier and moved to the orange or moderate risk tier. With sign off from local health officials, restrictions were lifted accordingly.

But the risk was still substantial and B.1.1.7 proceeded to spread broadly. “We know that B.1.1.7 is everywhere in Humboldt County and is very likely the most dominant strain locally now,” Hoffman told supervisors.

The county remains in the orange tier and Hoffman recently said that it’s unlikely to be moved back in the red tier due to the change in the way the state calculates its risk tiers. During the short history of the pandemic, decreases from

peaks of cases have been seen as cause for easing restrictions, with higher peaks ensuing.

Coronavirus has diversified beyond original expectations and new, fitter variants continue to emerge. Hoffman suggested that B.1.1.7 isn’t the ultimate variant Humboldt will deal with.

He told supervisors that the strain will be “the driver of infections in the coming weeks and months until another potentially more infectious strain comes along to replace it.”

Booster vaccine shots will be needed “if variants come up that could make vaccination less effective,” Hoffman said.

The UK variant is 50 percent more contagious than other strains and “moving swiftly,” he continued. The county’s case counts have risen from two per 100,000 people to 13 per 100,000 and there are “more hospitalizations than we have seen in the past with similar outbreaks.”

In addition to cases, the rising hospitalizations and ICU admissions are affecting “a much younger demographic than in the past” and the need for more serious levels of treatment have led to patients being transported out of Humboldt County “more than any other time in the pandemic.”

Hoffman gave familiar advice on dealing with COVID-19 risk. “Masking, distancing and vaccination still work,” he said. “Avoiding crowds and gatherings reduces your risk of exposure.”

Testing is also key, he added, and has decreased despite the county’s high capacity for it.

About 40 percent of Humboldt’s adults have been vaccinated and Hoffman said the infections are happening among the unvaccinated.

None of the recently-hospitalized residents were vaccinated, he said, adding, “That’s the power of vaccine.”

The variant-driven “dramatic turning of the tide” is happening as Humboldt and the rest of the state prepares for a mid-June reopening.

Events and festivals of all types are in planning stages.

“The stronger public health measures that we used before the vaccination effort will not be possible any longer,” Hoffman said.

With confidence in vaccines, Hoffman and other public health officials are still looking forward to “a great summer full of COVID-safe events.”

Eighty-six new COVID-19 cases were confirmed last week, with 20 of them logged on a single day, May 7.

That brings the county’s total case count to 3,935. There were four COVID-19 hospitalizations and one death, of an elderly person, bringing those totals to 165 and 39 respectively.

On May 7, the county announced that 40 local COVID-19 samples have been identified as B.1.1.7.

The variant was “present in a majority of sequenced samples, indicating that it is widespread locally.”

# Coronavirus | Ongoing

❖ FROM PAGE 1

“We’re still very much in the middle of this pandemic response,” she told supervisors, adding that although vaccines are providing significant help, “We’re not through this yet – we’re still seeing cases, we’re still seeing hospitalizations.”

The county is getting funding for pandemic response but its continuity is uncertain.

The Public Health Branch has a communicable disease department but Stephens said it’s consistently been under-funded. That will have to change to meet the continuing virus challenge.

“We know that we will continue to have COVID-19 cases in the next one and two years, and ongoing,” said Stephens. “And so, what is that going to look like for us as a health department – we’re looking at our ongoing staffing needs as well and the funding for that.”

Of particular importance is “continued funding addressing the health disparities we see, especially in communities of color in general but also, as we’ve seen, with COVID-19 cases,” she added.

A coalition of counties and health care officials and professionals called California Can’t Wait is lobbying the state for \$200 million in annual funding beginning in the 2021 to 2022 fiscal year to improve public health services.

Stephens said that if approved, the funding will bolster “public health infrastructure and addressing the disparities we continue to see across California.”

The hope is that “the legislature and the community sees value in public health and that increased funding, ongoing, for local public health departments is a need,” she continued.



# Order your Soroptimist meal now, grab-n-go later

**SOROPTIMIST INTERNATIONAL OF ARCATA**  
ARCATA – Back by popular demand, Soroptimist International of Arcata once again invites the public to enjoy a Grab-n-Go box meal, prepared by Cassaro’s Catering, on Wednesday, June 9.  
Due to a “temporary pause” in Soroptimist public events, our annual scholarship tea has been postponed for yet another year.  
This event will assist us in raising funds to support our annual scholarships to graduating seniors from the Northern Humboldt Union High School District.

There are three tasty box meal options which include a pulled pork sandwich box, chicken salad plate or kale salad box.  
All meals include sides and dessert for the price of \$15 each. Orders must be placed by Saturday, June 5.  
Pick-up is Wednesday, June 9 from 11 a.m. to 1 p.m. or 4 p.m. to 6 p.m. at St. Mary’s Leavey Hall, 1730 Janes Rd. in Arcata.  
Orders and payment can be sent to S.I. Arcata, P.O. Box 388, Arcata, CA 95518, by Saturday, June 5. Payment through Venmo is available.  
Proceeds from this event will be used for scholarships for college-bound se-

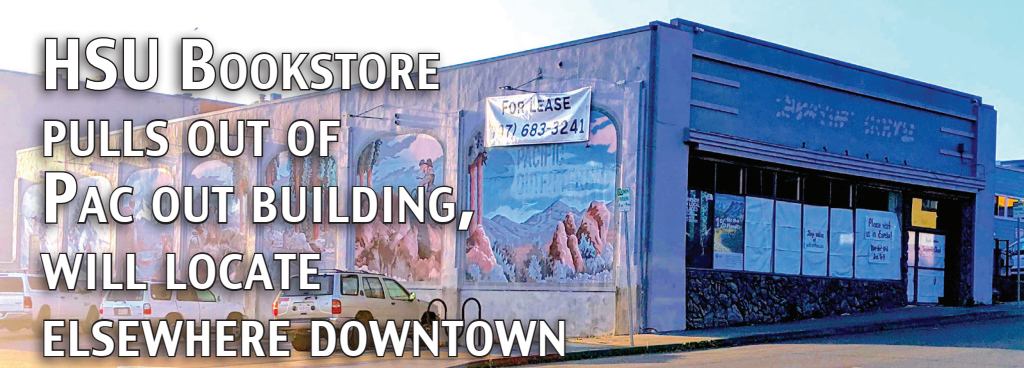


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niors. For more information, please email [siarcata@soroptimist.net](mailto:siarcata@soroptimist.net) or contact Patti Clinton at (707) 822-9494.  
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**MAD RIVER UNION**  
ARCATA – The “For Lease” banner once again adorns the south side of the former Pacific Outfitters building on G Street in downtown Arcata.  
That’s because Humboldt State University has backed out of a previously announced arrangement to relocate its bookstore in the building. Instead, it will reportedly locate the bookstore in the Tri-Counties Bank building right across the street at Eighth and G streets.  
HSU hasn’t yet confirmed the specific new location, but does acknowledge cancellation of the former plan in a news release (*see below*).  
Pacific Outfitters closed its Arcata outlet coincident with the COVID-19 pandemic, consolidating its Humboldt operations at its Eureka location. Building owner Aaron Ostrom said he’s keeping the building, but looking for a new tenant.  
Ostrom said the univer-

sity exited the arrangement gracefully. “I harbor no hard feelings,” he said.  
**HUMBOLDT STATE UNIVERSITY HSU Looking at Different Downtown Option for Bookstore**  
Humboldt State University is pursuing a new opportunity for a bookstore location in downtown Arcata. This option, which would involve a property purchase with non-state funds rather than a lease, could be finalized shortly.  
Due to this, the University has decided not to move ahead with the previously announced lease of the building that formerly housed Pacific Outfitters. This has been a complex process, and the University appreciates the ongoing co-operation and assistance of Pacific Outfitters.  
HSU expects to be able to share details soon on the new opportunity and possible location.  
Moving downtown will be valuable for the University and the community. A downtown location will

provide numerous benefits that students, community members, and visitors have been asking for.  
HSU has been working with the community to find ways for students, many of whom travel from more urban areas, to connect with and feel welcome in the community. The new location will help. With HSU goods, and the ability to hold student and community-centered events like guest lectures and mixers, students will have a welcoming space in the heart of Arcata.  
The move also opens up the current Bookstore space, which students have been requesting to use for lounge space, activities, and entertainment. The Bookstore will maintain its current warehouse space on campus for receiving and picking up textbooks, along with handling textbook rentals, and the University is exploring delivering textbooks to students in residence halls. The College Creek Marketplace on

campus will continue to sell HSU Bookstore items in the store and expand upon the current selection.  
Follett will continue managing the Bookstore, bringing their specially branded HSU merchandise and other items for store visitors. And HSU will be looking at working with College of the Redwoods and local high schools to carry some of their branded items to create a shared community. The Bookstore will continue selling HSU merchandise in Eureka’s Clarke Museum.

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Denise Marie Carolus

Joseph Raymond Walker

Linnie Muro-Cortez

James Guylen Huff

## Humboldt DTF takes down Valley West parking lot meth bazaar

**HUMBOLDT COUNTY DRUG TASK FORCE (HCDTF)**  
VALLEY WEST – On Thursday, May 6, agents with the Humboldt County Drug Task Force (HCDTF), with the assistance of the Arcata Police Department (APD) conducted an undercover drug buy operation in the area of the Valley West Shopping Center in Arcata.  
This operation was conducted as a result of complaints from business owners and citizens of suspects conducting drug transactions in front of businesses, in the parking lot, and on the sidewalk in front of the shopping center.  
An undercover agent from the HCDTF walked around the shopping center and contacted various groups of people that were loitering in the area. On



four separate occasions the agent was able to successfully purchase methamphetamine.  
After each purchase, APD officers entered the area and placed the suspect

under arrest.  
The following four people were arrested for 11378 H&S (possession of methamphetamine for sale) and booked at the Humboldt County Jail:  
• Denise Marie Carolus (43 years old-Arcata)  
• Linnie Muro-Cortez (49 years old-Hoopa)  
• Joseph Raymond Walker Sr. (34 years old-McKinleyville)  
• James Guylen Huff (45 years old-Arcata)  
The HCDTF would like to thank the Arcata Police Department for their assistance with this investigation.  
Anyone with information related to this investigation or other narcotics related crimes are encouraged to call the Humboldt County Drug Task Force at (707) 267-9976.

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# McK Senior Center to reopen for those who are vaccinated

Happy Wednesday! Here's an update on the McKinleyville Senior Center.... wishing I had firm dates for our reopening, but I don't.

I do have some news to share with the community. We have reached the first stage goal of computer literacy for seniors with the purchase of Chromebooks for the center.

This was made possible by the donations to our little green jars about town, from donations from friends of the center, and by some creative shopping by Rene Quintana, our executive director. Whenever possible he shopped locally for our furniture, glass and plastic desk and table toppers. Thank you to all of you who were so generous and appreciated our limited budget.

New COVID-19 compliant furniture is in place as are safety barriers, cleaning, and lots of creative new ideas.

At our last Board of Directors meeting with the new MCSD director and the head of the recreation division, it was decided by

unanimous agreement to require vaccinations to reenter the center when it reopens.

This is not a political decision, rather a safety issue raised by seniors in the community and the entire Board of Directors in attendance. There was a huge sigh of relief that safety was the number one issue in reopening.

We do have a few issues to resolve before an official opening. We are asking for ideas from the senior community about which classes to offer given our new limitations.

Please offer your suggestions and new ideas. Scheduling will be a bit different because of continuing County Health restrictions: Smaller class sizes, regular cleaning, volunteers for the front desk, and things we haven't even thought of yet. The biggest changes will most likely be in our exercise

programs as they are very popular and well attended. The biggest change will be the size limits for the classes and scheduling. Some classes may only be able to meet once a week instead of twice to accommodate everyone who wants to participate.

Here's a couple of things that surprised me this week. I went to Eureka Natural Foods for lunch and picked up our jars as I checked out. A woman in a mask, approached me (also masked) and asked if I was Patti Stammer.

I said yes and she asked if I could come to her house and pick up some bags of coins she wanted to donate. People do read my somewhat erratic column in the *Mad River Union*! What surprised me was how she recognized me from the stupid "summer hat" photo in the paper to the real me with crazy hair and a mask. Thank you, Teri, you made my day!

We have also received donations from friends of Carol Davis, our much-loved pal who passed this summer. Thank you to all who participated in her amazing "by donation" yard sale that raised funds for Hospice,

Food for People and MSC. As many of our seniors are passing with increasing regularity, I wonder what we can do to acknowledge and honor them. Any ideas?

We are hoping to begin with a community open house to show off the changes and thank everyone for the unwavering support through this "unusual" time. Time seems to be passing quickly as we begin to move out and about again. As soon as we can formulate a plan to keep everyone "mingling" safe, we will announce it all over the place. We are ready to get together again soon!

Thanks Jack, Kevin, and Ted for keeping us reading and active and up to date. I do hope you realize how important you are to our communities... just ignore all those cranky, cranked-up, crabby mean people. We love you and everything you do to get the word out that elders are vital, funny, interesting members of any community that hopes to survive. Plus, we have the have the best stories.

Still collecting coins, so call me and keep my trunk jingling and help us get connected. Call me at (707) 845-2817 or call the McKinleyville Senior Center at (707) 839-0191 We have a new phone and a book that tells us how to answer messages!



MCKINLEYVILLE  
SENIOR  
CENTER  
Patti Stammer

*Mad River Union*! What surprised me was how she recognized me from the stupid "summer hat" photo in the paper to the real me with crazy hair and a mask. Thank you, Teri, you made my day!

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## Eureka man gets 8 years for skateboard killing

**HUMBOLDT COUNTY DISTRICT ATTORNEY' OFFICE**

**HUMBOLDT** – On May 5, 2021, a Humboldt County jury found Jason Ryan Barnes, age 48, of Eureka, guilty of one count of involuntary manslaughter for the homicide of Bernhard "Ben" Bertain and two felony counts of assault with a deadly weapon.

The jury also found true the special allegations that Mr. Barnes personally caused great bodily injury or death and personally used a deadly weapon.

Barnes had been charged with second degree murder. Prior to jury deliberations, Judge Timothy Canning acquitted Mr. Barnes of that charge and the lesser included charge of voluntary manslaughter.

Thus, the jurors returned guilty verdicts on the most serious charges they were allowed to consider.

The case arose from an incident at the Burre Center Laundromat in Eureka on Dec. 22, 2018. An employee of the laundromat intervened when she saw and heard the defendant screaming at a woman in the parking lot who was asking to be left alone.

After the laundromat employee placed herself between Barnes and the woman, Mr. Bertain came over from his parked car to stand with the laundromat employee.

At that point the defendant swung a skateboard at both the employee and Mr. Bertain. The employee evaded the attack but the skateboard struck Mr. Bertain. The defendant then hit Mr. Bertain with

the skateboard two more times.

Mr. Bertain declined medical attention immediately after the incident, but later told friends and family members that it felt like his ribs were broken when he was struck by the skateboard.

Mr. Bertain called 911 in distress three days later but could not communicate when paramedics arrived. He died during a flight to Queen of the Valley Medical Center in Napa.

An autopsy by Napa County Forensic Pathologist Joseph Cohen determined that Mr. Bertain's spleen had ruptured due to an expanding hematoma caused by blunt force trauma to the torso.

Eureka Police Department (EPD) Detective Corrie Watson led the investigation into Mr. Bertain's death. Officers and evidence technicians from both EPD and the Arcata Police Department also contributed to the investigation.

Deputy District Attorney Roger C. Rees prosecuted the case with assistance from District Attorney Investigator Marvin Kirkpatrick, and victim advocates Marybeth Bian and Caitlyn LaHaie. Deputy Public Defender David Celli represented Mr. Barnes.

Mr. Barnes is scheduled for sentencing on June 14, 2021. He faces a maximum of 8 years in state prison.

Mr. Barnes's offenses qualify as violent crimes under California's Three Strikes Law, and he will be required to serve at least 85 percent of any sentence imposed.



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**YOUTH IN CRISIS FACILITY** Thanks in part to a \$5.1 million grant from the Investment in Mental Health Wellness Grant Program for Children, Humboldt County will soon have a residential facility for children and youth experiencing mental health crises. The facility will be owned and run by a local nonprofit medical group created by Dr. Evan Buxbaum and staffed by a pediatrician, nurse practitioners, pediatric- and adolescent-trained counselors, social workers and case managers, as well as a full support staff. Psychiatric oversight will take place via telepsychiatry, and the facility will provide participants with a full array of Behavioral Health supports. The organization will be a service provider that DHHS contracts with. DHHS Director Connie Beck said receiving these funds is a game changer. “This grant will provide a local facility with services for youth that will help reduce the number who are unfortunately sent out of the area for treatment and will allow them to stay connected to their community.” Dr. Buxbaum said the facility will be modeled after other “trauma-informed, evidence-based” residential care programs for youth in a mental health crisis.

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# Enviro groups call out county planning dept. over CEQA statements

## A Mitigated Negative Declaration is *not* the same thing as an Environmental Impact Report

**NEC/CSH**

In response to what they see as an ongoing pattern of inaccurate statements about the standards and requirements of the California Environmental Quality Act (CEQA) in regards to permitting projects in Humboldt County, the Northcoast Environmental Center (NEC) and Citizens for a Sustainable Humboldt (CSH) have submitted a letter [viewable at *madriverrunion.com*] to the Board of Supervisors and Planning Department seeking to set the record straight and foster improved adherence to environmental regulations.

The letter comes in response to the County repeatedly issuing Mitigated Negative Declarations (MNDs) for proposed projects rather than requiring project applicants to go through the more rigorous and public process of a full Environmental Impact Report (EIR). The NEC and CSH have filed a lawsuit against the County challenging the approval of one such project, the Rolling Meadow Ranch Cannabis project near McCann.

As stated in the letter, “Over the course of several recent Plan-

ning Commission and Board of Supervisor meetings, where proposed large development projects have been considered for approval, NEC and CSH members have observed repeated inaccurate characterizations of CEQA’s standards and requirements.”

These include downplaying the important procedural and substantive differences between an EIR and an MND; portraying the “fair argument” test under CEQA (which establishes the low threshold for requiring an EIR) as a higher burden of proof for project challengers than it actually is under the statute and controlling case law; advancing a double standard, where County planning staff and project applicants are permitted to present absolute conclusions dismissing the potential for significant environmental impacts that are nothing more than unsubstantiated opinion while at the same time staff and applicants criticize substantiated comments from the public, other agencies, and County planners concerning potentially significant impacts that may be caused by proposed projects as lacking suf-

ficient evidence and expert support; and implying that County decision-makers have discretion to decide to prepare an MND instead of an EIR based on practical considerations, such as whether more in-depth environmental impact analysis would change the outcome, rather than on the required factual and legal basis.

One example the groups point to is Planning Director John Ford repeatedly falsely equating an MND with an EIR, saying at one point that they “do very much the same thing” and that the level of study is “very similar.” Preparation of an EIR is a multi-step process of studies and reviews which the public and other agencies are able to review and comment on and the lead agency (in this case, the County) is required to respond to public and agency comments and revise the analysis in the final EIR if necessary.

With an MND, the lead agency is not required to respond to public and agency comments. The heightened procedural and substantive requirements for an EIR result in a more robust analysis of a proposed project’s impacts and

the ways in which those impacts can be minimized and avoided through mitigation and alternative designs.

The letter also addresses the inaccurate characterization of CEQA’s “fair argument” test for determining whether an EIR is required as opposed to an MND stating that, “pursuant to the mandatory language of the CEQA statute and CEQA Guidelines, an MND is only allowed when the Initial Study demonstrates with substantial evidence that, after incorporating mitigation measures, a proposed project will “clearly” not cause “any significant effect on the environment.”

In contrast, an EIR is required when there is a fair argument, based on substantial evidence, that a project “may” cause one or more potentially significant impacts. In other words, when an MND is prepared, the burden is on the lead agency (here the County) to demonstrate with supporting evidence and transparent analysis that, with incorporated mitigation measures and project design changes, there is no possibility that the proposed project may cause

significant impacts. If commenters present any substantial evidence supporting a fair argument that the project may cause significant impacts, then an EIR is required – even if there is also substantial evidence that the project may not cause significant impacts.”

When project applicants have mis-characterized the “fair argument” test to shift the burden of proof to opponents by stating they must present proof that a project “will” have a significant environmental impact (rather than the lead agency having to prepare an EIR to prove that it won’t), County staff have failed to correct them.

Recognizing that these issues may arise out of a fundamental misunderstanding of the CEQA statute and guidelines and how they apply to discretionary project approvals, NEC and CSH have submitted these comments to help the Board of Supervisors and County staff “foster improved public participation and help ensure decisions with major long-term implications for the environment are based on an accurate understanding of these important legal concepts.”

# The Bottoms mega-grow opponents’ appeal of the county Planco’s approval

## Mitigated Neg Dec laden with falsehoods; staff misled commissioners about MND vs. EIR

Re: Notice of Appeal of Planning Commission Approval of Arcata Land Company, LLC Conditional Use Permit (PLN-12255-CUP)

Dear Director Ford and Honorable Members of the Humboldt County Board of Supervisors:

James Cotton, Kim Puckett, Paula Proctor, Michael Proctor, Joan Edwards, Lee Torrence, Rebecca Crow, Carol McFarland, Don Nielsen, Terrence McNally, Kerry McNally, Tamara Spivey, Mona Mazzotti, Abraham Moshekh, Duane E Smith, Pamela J Smith, Victor Howard, Lydia Butyrin, Lisa Pelletier, Kathryn Melia, Julie Hochfeld, Nancy Blinn, Warren Blinn, Peggy Bell-Hans, Todd Casebolt, Deni Devine, Jose Mendoca, Leonor Mendoca (collectively, Appellants), appeal the April 22, 2021 Planning Commission decision to approve the Arcata Land Company, LLC Conditional Use Permit (the “Project”)1 for the failure to comply with the California Environmental Quality Act (CEQA).

Appellants filed this Appeal within the statutory time period and have paid the appeal fee and, therefore, request a hearing before the Board of Supervisors (“Board”) on the issues presented and, after such hearing, ask for an order reversing the decision of the Planning Commission and either denying the application or finding that an Environmental Impact Report (“EIR”) is required for the Project.

The Planning Commission adopted a Mitigated Negative Declaration (“MND”) for the Project despite substantial evidence in the administrative record supporting a fair argument that the Project may have significant environmental impacts. Because commenters have presented a fair argument concerning the Project’s multiple potentially significant impacts, CEQA mandates an EIR for the Project to analyze the full scope of impacts prior to approval.

Under CEQA, an accurate, finite, stable project description is the cornerstone of an adequate environmental impact review document, including an MND. In fact, courts have held that an MND “is inappropriate where the agency has failed either to

provide an accurate project description or gather information and undertake an adequate environmental analysis.”

For all these reasons, and as explained below and in prior comments on the IS/MND submitted to the Humboldt County Planning Department, Appellants urge the Board to reverse the Planning Commission’s decision to approve the Project and either deny the application or order the preparation of an EIR.

1. The IS/MND makes false or misleading statements, lacks analysis, and has omitted data as is evident by the numerous cogent comments in the administrative record on the following categories: Aesthetics, Agricultural and Forestry Resources, Air Quality, Biological Resources, Energy, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Transportation, and Utilities and Service Systems.
2. The intensive reliance on well water for this Project is a grave concern of experts that reviewed the IS/MND and of the Appellants. Rather than present the qualified substantiation and documentation for the position that the well is not hydrologically connected to surface waters, the IS/MND relies upon conclusory letters from a well drilling company, with no proof of qualifications or the methods employed to make this complex determination, and without consideration of the effects of sea level rise of groundwater resources.
3. The Biological Assessment, in the IS/MND, when reviewed by an expert was considered to be incomplete and inadequate which was evident by: the omission of a bat survey, the lack of sampling protocols, and insufficient literature review and numerous oversights.
4. The project description is uncertain. The staff report, April 22, 2021, failed to include an Operations Plan because the applicant had not submitted an updated version. Without an updated Operations Plan, the length of the cultivation period along with the number of growing cycles and number of plants is unknown, and thus water usage, energy usage, staffing, and other

impacts cannot be calculated accurately. The Planning Commissioners voted to approve this Project without knowing the details of the Operation.

5. Decision makers should seek counsel from an attorney and not Director Ford regarding the differences between MNDs and EIRs. During the Planning Commission meeting, 4/22/21, Director Ford said an “EIR does the same analysis that a Mitigated Negative Declaration just undertook.” This statement is inaccurate and may have biased the Commissioners decision.
6. The enormous energy cost of this Project is an artifact of its size and location. The Project would be the largest permitted cannabis project in Humboldt County that is in such close proximity to homes and neighborhoods. Due to being sited within 2.5 miles of the ocean and less than two miles from Humboldt Bay in a cool, foggy, and windy environment, the projected mixed-light portion of the energy requirement is calculated at a conservative 6,750 MWh, enough to power at least 614 average homes in the Pacific Northwest.
7. The proposed access for the Project will be Foster Avenue. The IS/MND does not account for the cumulative impact of traffic from the cannabis manufacturing, processing and distribution site that is adjoining this Project nor does it include an analysis of the additional traffic from another adjacent parcel, WE Produce cannabis application, or the proposed Creekside Annexation for senior housing and care facility on Foster Ave. In order to understand these impacts, an EIR needs to be completed.
8. Air Quality, Odor, Noise, and Light Pollution are perhaps the most apparent impacts that neighbors in the Westwood subdivision are concerned about. The IS/MND states these impacts are “less than significant” which is in direct conflict with the major conclusions of the County’s own FEIR which states under 5.1 that the impact on air quality and odor would be “cumulative considerable, significant and unavoidable.”

With regard to odor, the IS/MND states that if carbon filtration is inadequate in neutralizing odors, products such as

Ecosorb may be utilized. Appellants are highly concerned about the proposed use of Ecosorb, or similar products, with no information on ingredients, application protocols, or performance standards provided, and with no monitoring. Odor can be transient in nature, depending on changes in wind direction. Given the proximity of homes and neighborhoods that are downwind of this Project, and the conflicting impacts of odor between the IS/MND and the FEIR,13 an EIR should be required for this Project.

With regard to noise, the Appellants are very concerned about the noise the project will create from mechanical systems, including fans, in the greenhouses and the time limit given to the Project to correct a noise violation. Currently, the Project has no maximum time limit to correct a noise violation, and no mitigations to reduce noise impacts.

Additionally, there is a discrepancy between the FEIR 13 and the staff report regarding the allowable noise limits at the property boundary, 3 vs 60 decibels respectively. Again, these types of discrepancies need to be resolved through an EIR.

Appellants have demonstrated that the Project will have detrimental effects on the health, safety, and well-being of the residents of the area with regard to odors, noise pollution, light pollution and other significant environmental impacts as discussed. To better understand the consequences, to inform decision makers of these impacts, and develop appropriate mitigations an EIR needs to be prepared. In addition to this, an EIR allows for exploration of alternatives, something an IS/MND does not.

Conclusion: The Board should not approve the Project with this IS/MND and should either deny the Project or require an EIR.

Sincerely,  
**Jim Cotton, et al.**

*Note: This letter includes numerous footnotes too lengthy for print publication. Read the entire letter at [madriverrunion.com](http://madriverrunion.com). – Ed.*

# Court orders McK company to pay \$2 million Clean Water Act Penalty

## Discharges into Hall Creek and Mad River at levels thousands of times more than allowed

**CALIFORNIANS FOR ALTERNATIVES TO TOXICS (CATs)**

U.S. District Court Judge Yvonne Gonzalez Rogers on Sunday, May 2 ordered a Humboldt County construction company to pay \$2,087,750 in civil penalties to the federal government for discharge of stormwater laden with toxic chemicals to a salmon-bearing stream without undertaking pollution control measures required by the Clean Water Act.

Arcata-based Californians for Alternatives to Toxics (CATs) brought the litigation against Kern Construction Co. in McKinleyville for on-going dis-

charge of pollutants at levels exceeding those set by regulators into a small stream that flows into Hall Creek, a tributary to the Mad River.

Kern Construction, located just north of the Mad River between McKinleyville and Blue Lake, submits required water sampling results to regional water quality regulators that show pollutants such as aluminum, which inhibits the ability of fish to breathe through their gills, at average concentrations 3,742 percent above the U.S. Environmental Protection Agency benchmark, and iron averaging 5,449 % above the benchmark. Among other

pollutants is pentachlorophenol, a highly toxic legacy chemical of former mill operations that killed more than 30,000 fish in Hall Creek and the lower Mad River in 1967. Hall Creek has since been listed as critical habitat for endangered salmon.

“That a small and endangered population of salmon still hangs on in Hall Creek is something to treasure and protect from toxic pollutants,” said Patty Clary, executive director of CATs. “This \$2 million penalty can send the message that whether a stream supports fish or provides drinking water or other benefit, it is a public resource, not a dumping

ground for industries looking to protect their bottom line.”

Kern Construction admitted in court to on-going violations of the Clean Water Act from Nov. 14, 2017 to the present. Judge Gonzalez Rogers determined that 9,461 violations by Kern are on record for this period.

“The court roundly rejected Defendants’ arguments that the violations were minor, sending a clear message to the regulated community that they will be punished for violating our nation’s water quality laws,” said attorney Andrew Packard, who represents Plaintiff CATs in the Clean Water Act litigation against Kern.

Referring to a settlement of a lawsuit brought by CATs in 2016 against Kern Construction for violations similar to those claimed in the current litigation, Bill Verick, attorney for Plaintiff CATs, said “This is the second go-round with this company and the second time they ignored their duty to come up with better pollution control when they exceeded EPA benchmarks. Hopefully, a \$2 million fine will get their attention. If not, we’ll be back for a third go-round.”

Attorney William N. Carlson of The Law Offices of Andrew L. Packard also represents Plaintiff CATs.



# OpinionNews

❖ Sign your letter to the Mad River Union with a real name and a city of origin, plus a phone number (which won't be published) for identity verification and send it to [opinion@madriverunion.com](mailto:opinion@madriverunion.com).

## If we don't put a stop to it now, look at what could happen

### A sign from God

If the members of the Pentecostal church in Eureka, and the greater religious community in general, have been waiting for a sign from God as to the need to get vaccinated and practice safe distancing and mask wearing, then, prayers answered!

### ❖ LETTERS

The 40-plus cases of COVID-19 they brought home to Humboldt County, which have been traced back to the super spreader event to the Youth Gathering at Christian Life Center in Stockton (*Nasty COVID variant arrives in Humboldt, Union, May 6, 2021*), may not be a burning bush, but it could well ignite a surge of Covid cases in our community.

**Richard Salzman**  
**Sunny Brae**

### Thieves and patriots

Over the past year, the Arcata Fire District has had multiple American Flags stolen from all three community fire stations. These flags are approximately \$50 each and the halyard with hardware is about \$50.

The District looked into buying theft protection for all three stations but the cost of these items was nearly \$800.

McKinleyville ACE Home and Garden Center paid for theft protection for all three flagpoles at our community fire stations. Patriotic and selfless acts like this one is exactly why I fell in love with Humboldt County 30 years ago.

On behalf of Arcata Fire District and all of the citizens in our Fire District, THANK YOU McKinleyville Ace!

Our flags will continue to fly high with pride and appreciation for those who gave the ultimate sacrifice and those who have served our great country.

**Sean Campbell**, Battalion Chief  
Arcata Fire District  
**McKinleyville**



News Item: Precedent-setting, county-approved Arcata Bottom mega-grow “only” 8 acres – just like the next one, and the next one, and the next one...

## A gubernatorial candidate is shamefully using a Kodiak bear as a prop

In October 2019, the State of California enacted SB 313, a circus ban preventing wild animals such as tigers, lions, elephants, bears, and monkeys from being used in circuses.

However, this law did not ban the use and abuse of these same animals for publicity stunts and other inhumane “acts” for human amusement.

This week, Tag (a Kodiak bear) was “hired” by John Cox for a publicity stunt in Sacramento. (Mr. Cox is a governor candidate trying to replace Newsom.) In



Cox and Tag. SUBMITTED PHOTO

2012, Tag was born in captivity at a private zoo in Ohio.

He has been used for movies and is now being used as a sideshow for a desperate man.

This past Tuesday, Tag was placed on hot asphalt with a thin, inadequate hot wire separating him from the human audience during a publicity stunt in Sacramento. He was thrown chicken and other items to munch on while Cox spoke.

Mr. Cox plans to continue to drag Tag around the state for attention. Cox’s plans include a visit

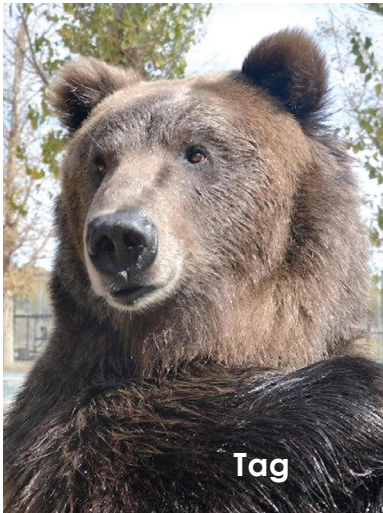
to The French Laundry in Yountville this week.

I seriously doubt he has obtained the proper permits for this or any event.

Also, that wire will not contain an agitated bear. This is a threat to public safety and the safety of Tag, the bear.

Is this how we treat animals in California? This is animal abuse. This is shameful. This must be stopped.

Sincerely,  
**Mara Parker**  
**Trinidad**



Tag

## Bayside Community Hall losing local control to National Grange

On March 3, 2021, the Board of Directors for Bayside Community Hall (of which I am currently president) received terrible news. Humboldt County Superior Court Judge Kelly Neel tentatively granted a Motion of Summary Judgment for the California State Grange against the Hall, in a lawsuit that had been filed in April 2020, in a dispute whose roots go back many years.

Bayside, along with several other local halls (Freshwater, Fieldbrook, Van Duzen, and Redcrest) is in a battle to keep a vital community resource (its hall) under the control of the local community.

As with most legal matters, the story is long and complex, involves thousands of pages of documents, and lots of heartache.

First of all, what is a Grange? The National Grange Order of the Patrons of Husbandry is a hierarchical, fraternal, membership organization founded in 1867, originally focused on advocacy for farmers and rural communities, and borrowing many aspects of structure and ritual from Freemasonry, including degrees, special regalia and formal ritual-based meetings. The structure consists of local “Subordinate” Granges, organized into regional “Pomona” Granges that report to State and then National Granges.

The Bayside Hall was built in 1940 by members of Bayside Grange #500, a group chartered several years earlier, with all local labor and funds. For decades, local individuals maintained and managed the Hall, and, as a condition of Grange membership, sent tens of thousands of dollars of dues to the state and national organizations (nearly the entirety of locally paid “dues” were passed on to the state, leaving local

groups to fundraise separately to maintain their buildings).

Starting about seven years ago, the Bayside board and membership, along with those of dozens of other similar halls across California, took steps that moved them away from the National Grange. California subordinate Granges elected a State Grange Master who worked to liberalize the organization and make it more appealing to our changing local communities.

That caused a rift with the national organization which revoked the California State Grange charter, leaving its subordinate members in legal limbo, and banning us from calling ourselves Granges (that’s when many former granges became community halls or guilds).

The National Grange successfully sued to take the California Grange assets, and now is seeking to bring all of the subordinate granges that allied with the more liberal organization, back into line under a newly reorganized State Grange.

Grange membership has varied over the years, but what seems clear locally, at least to the five halls currently battling for autonomy, is that for some time our communities have not been particularly interested in the Grange organization itself, but rather in being part of a modern, inclusive, locally responsive community organization.

They are not attracted to what a Grange is (and, in fact, many of those who understand it are turned off by its secrecy, rituals, complex rules and religious content), but to their local Hall and its place in the community. As Grange rituals, rules and formal structure have been gradually ignored, membership has increased.



❖ BAYSIDE CORNERS  
**Carolyn Jones**



**DECLARATION OF INDEPENDENCE** In 2017, the Bayside Grange became Bayside Community Hall. Now a court decision is requiring it to be re-absorbed into the national Grange organization. LEFT PHOTO COURTESY MAGGIE GAINER | BAYSIDE COMMUNITY HALL; RIGHT PHOTO KLH | UNION

Unfortunately, this has obscured for members the actual implications of their Grange membership. In theory, each Grange member takes an oath which binds them to a lengthy and complex National Digest of Laws governing what the local hall they were joining could and couldn’t do.

For at least the past three years, the board, members and volunteers for Bayside have not been Grange members (in fact, many would not have been involved if that was required). None of the current board who inherited this situation has ever pledged faithful compliance with the Grange rules. During that time we have raised over \$350,000 from a generous community and invested it in the Hall building.

We have also made new partnerships, brought in diverse groups, run a successful (though not lucrative) rental operation, initiated new activities (like drive-by dinners, the Fall Makers Fair and this column) and continued past ones (breakfasts, lecture series, etc), and generally brought life to a languishing organization.

But this may not be enough. As the Grange sees it, the fact that Bayside Community Hall holds title to the Hall property and that its local supporters provide 100 percent of the volunteer labor and funds to manage and maintain the Bayside Hall is not enough to ensure local ownership and does not grant local autonomy; by Grange rules, all Hall property is Grange property and is available to a local group to manage and maintain only so long as that group is willing to be a subordinate grange within the Grange organization.

That currently requires that a minimum of 13 individuals sign a pledge of “faithful compliance with the By-Laws of this [local] Grange, the By-Laws of the State Grange of California and the Constitution and By-Laws of the National Grange.” Those 13 individuals can then apply for a charter, subject to the approval of the national organization.

So it is quite a dilemma. Bayside plans to appeal the MSJ ruling, which will take some time. However, if it is not successful, we all will be faced with a difficult decision: Do we surrender the build-

ing that we love and into which we have poured so much time and treasure? Do we attempt to organize a new subordinate grange, joining the organization simply to retain control of our own property? If so, are you personally willing to be a Grange member? Do we attempt to buy our own property, if that is even possible? Do you have any other ideas?

This is really complicated stuff, but it is also really important. On Thursday, May 13 from 5 to 6 p.m., KMUD Radio 88.1 FM will host a call-in show about these lawsuits. This is a chance to talk with representatives from the local community halls that are facing these challenges.

Please listen in and call with your questions. You may also want to look into the details of what Grange membership means at [castategrange.org](http://castategrange.org) (for the California State Grange) and [nationalgrange.org](http://nationalgrange.org) (for the National Grange).

Look specifically at the Digest of Laws 2021 posted on the latter’s Members Resources menu, which details the rules that currently govern all granges.



# SCENE

## Trinidad's best

The City of Trinidad's Public Works team, with Ryan DeSmet leading the department and Kyle Shipman assisting, deserve praise, gratitude and a vacation.

Ryan and Kyle are everywhere, overseeing the city water system, broken pipes, leaks, maintaining the Town Hall and library, mowing Saunders Park, maintaining vegetation on Trinidad Head and on almost every street, clearing drains, listening to residents' concerns, and taking care of an endless stream of emergency matters.

The sidewalk and driveway improvement project overseen by City Engineer GHD has kept Ryan and Kyle on constant alert helping crews to avoid, and repair where needed, disrupted utilities.

The community is grateful. Take a moment to thank Ryan and Kyle for their tireless care for the town.

The city is seeking a third Public Works employee. Applicants need to be strong, dependable, resilient and skilled in the workings of water systems.

Remuneration and benefits are good. Find out more about the position at the City Clerk's office, 409 Trinity St., email [cityclerk@trinidad.ca.gov](mailto:cityclerk@trinidad.ca.gov) or call (707) 677-0223.

**21 whales!**

While serving as docent at the Trinidad Head Lighthouse on May 1, museum volunteer Michelle McHenry counted 21 whales playing and splashing below the lighthouse.

The apple tree next to the lighthouse is in bloom. Howdy Emerson walked up the hill to delight visitors with his bagpipes. A sunny Saturday in Trinidad doesn't get any better than this.

Email Patti at [baycity@sonic.net](mailto:baycity@sonic.net).



❖ TRINIDAD TIDINGS  
Patti Fleschner



LIVE THEATRE RETURNS TO HUMBOLDT! Left, Sara Kei Wegmuller will perform in *Re-*. Right, *As the World Rises and Falls* with Laura Jill Murillo Hart and Mark Farrell.



SUBMITTED PHOTOS

## The Cauldron of Destiny Thesis Festival

**DELL'ARTE INTERNATIONAL**

BLUE LAKE, CA – The Dell'Arte International School of Physical Theatre presents "The Cauldron of Destiny Thesis Festival," featuring four original works of theatre created by this year's graduating MFA class. The thesis festival marks the culmination of three years of graduate study by an ensemble of theatre artists.



Oscar Nava



Julieta Garza

It will be the first in-person performance open to the public in over a year, with limited, reservation-only tickets available. Enhanced safety measures will be in place, including reduced capacity and masks required for audience members.

Performances will be held in Blue Lake from Thursday, May 13 to Sunday, May 23 at 8 p.m. in the Carlo Theatre and Big Top Revival Tent. Seats will be limited to 25 per night and can be purchased at pay-what-you-can prices (suggested ticket price \$10) though [dellarte.com](http://dellarte.com) or by calling (707) 668-5633 during regular business hours (9 a.m. to 5 p.m., Monday through Friday).

"The Cauldron of Destiny Thesis Festival" show descriptions and schedule are as follows.

**El Velorio**

*El Velorio* by Julieta Garza and Oscar Nava, will be performed in the Carlo Theatre on Thursday, May 13; Saturday, May 15; Friday, May 21; and Sunday, May 23 at 8 p.m.

A Mexican-American family holds a funeral for their beloved jefe de familia, their head of family. As the ceremony unfolds, uninvited guests and truths about the deceased are unearthed, revealing secrets about his life.

This piece, created by Julieta Gar-

za and Oscar Nava, presents a unique and visceral storytelling experience that is rooted in an antiracist theatre practice.

**As the World Rises and Falls**

*As the World Rises and Falls* by Laura Jill Murillo Hart and Mark Farrell, will be performed in the Big Top Tent on Thursday, May 13; Saturday, May 15; Friday, May 21; and Sunday, May 23 at 8 p.m.

*As the World Rises and Falls* follows the journey of two circus performers living in the dilapidated ruins of what used to be, as their reality unravels before your very eyes. Prepare yourselves for the strange, absurd and daringly delicious. These clowns are ready to do whatever it takes to preserve their way of life.

**Re-**

*Re-* by Sara Kei Wegmuller, Tossa Hayward, and Tayloranne Finch, will be performed in the Carlo Theatre on Friday, May 14; Sunday, May 16; Thursday, May 20; and Saturday, May 22.

Imagine yourself in the not-too-distant future. We, as humans, have determined that we are incapable of keeping ourselves or the planet safe, and have therefore relinquished all power and control to the Supercom-

puter. We are all plugged into our own virtual realities, wherein we are kept happy and safe, unaware of the existence of anyone else or the cumbersome pain of reality. This "blissful" state comes at a price, however, for with every upgrade to your virtual reality, you must give up one of your memories, tell it to the Supercomputer, to be absorbed into its consciousness and lost to you forever. What happens if this technology gains sentience? What is left of a human who remembers nothing?



Dustin Curry



Nate FitzSimons

**Emperor Norton's Manifest Destiny**

*Emperor Norton's Manifest Destiny: An American Tall Tale* by Nate FitzSimons and Dustin Curry, will be performed in the Big Top Tent on Friday, May 14; Sunday, May 16; Thursday, May 20; and Saturday, May 22.

In 1859, Joshua Norton of San Francisco declared himself Emperor of the United States of America when the bankrupt merchant lost his mind (he was a casualty of the American Dream, after all). Comedic duo Dustin Curry and Nate FitzSimons paint the story of California's strangest eccentric with strokes of broad satire, vaudeville luster and a twang of folk-punk.

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[www.mckusd.org](http://www.mckusd.org),  
under Employment.



## Arcata Playhouse hosts fundraiser for local musician

**ARCATA PLAYHOUSE**

ARCATA – The Arcata Playhouse will host a special fundraiser for extraordinary local musician Julie Froblom. Jenni & David and the Sweet Soul Band will perform in support of Julie, their saxophonist, in a virtual concert at the Arcata Playhouse on Saturday, May 15 at 7 p.m.

Julie has contracted a rare lung disease, which is also affecting her heart. Even though Julie is still blowing strong and laying it down, she will be receiving a double lung transplant in the near future. The funds will be used to cover long term lodging, and travel expenses to San Francisco

and back numerous times.

Jenni & David and the Sweet Soul Band are Jenni Simpson on vocals and baritone sax, David Childers on guitar and vocals, Justin Brown on bass guitar, Robert Franklin on guitar and vocals, and Mike LaBolle on drums to round out this ripping funk, soul, rhythm & blues band that keeps the groove deep and full.

The show starts at 7 p.m. with a four camera live-stream from the Arcata Playhouse. Tickets/donations are \$10 or better at [arcataplayhouse.org/events/jenni-david-and-the-sweet-soul-band-benefit/](http://arcataplayhouse.org/events/jenni-david-and-the-sweet-soul-band-benefit/).



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## LEGAL NOTICES

### CITATION FOR PUBLICATION UNDER WELFARE AND INSTITUTIONS CODE SECTION 294

Case Name: Frankie Miller and Jack Miller  
Case Nos. JV180047-1, 2  
1. To: MARION MILLER, and anyone claiming to be a parent of Frankie Miller and Jack Miller born on 12/02/2014 and 08/16/2016, at Mad River Hospital, Arcata, CA.  
2. A hearing will be held on July 19, 2021, at 8:30 a.m. in Dept. 7 located at Superior Court of California, County of Humboldt, 825 Fifth Street, Eureka, CA 95501, Juvenile Division, 2nd floor. OTHER: Check the court's website on how to appear at your hearing. There will be information posted on how to appear remotely if the court remains closed. For

assistance with appearing virtually, please contact Child Welfare Services' mainline phone number at (707) 445-6180.  
3. At the hearing the court will consider the recommendations of the social worker or probation officer.  
4. The social worker or probation officer will recommend that your child be freed from your legal custody so that the children may be adopted. If the court follows the recommendation, all your parental rights to the child will be terminated.  
5. You have the right to be present at the hearing, to present evidence, and you have the right to be represented by an attorney. If you do not have an attorney and cannot afford to hire one, the court will appoint an attorney for you.  
6. If the court terminates

your parental rights, the order may be final.  
7. The court will proceed with this hearing whether or not you are present.  
ATTORNEY FOR: CHILD WELFARE SERVICES  
JEFFERSON BILLINGSLEY, COUNTY COUNSEL #233776  
KATIE BACA, DEPUTY COUNTY COUNSEL #188031  
825 FIFTH STREET  
EUREKA, CA 95501  
(707) 445-7236  
DATE: May 5, 2021  
Kim M. Bartleson, Clerk,  
5/12, 5/19, 5/26, 6/2

**CITY OF ARCATA  
NOTICE OF CITY COUNCIL PUBLIC HEARING  
TO ADOPT THE CAPITAL IMPROVEMENT PLAN ANNUAL UPDATE**

**NOTICE IS HEREBY GIVEN** that the Arcata City Council will conduct a Public Hearing on Wednesday, May 19, 2021, beginning at 6:00 p.m., or as soon thereafter as can be heard, to consider public comment before taking action on the item described in the Project Description below.  
**How to Observe and Participate in the City Council Meeting:**  
Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and the Humboldt County Public Health Officer's March 19, 2020, Shelter-in-Place Order, the City Council's meeting location will not be physically open to the public, and Council Members will be teleconferencing into the meeting via Zoom Video Communications.

The zoom link and additional connection, viewing, and participation options can also be found on the agenda at <http://arcataca.igm2.com/Citizens/default.aspx>. Members of the public may access the Zoom meeting directly to observe the hearing or provide public comment.  
Join from a PC, Mac, iPad, iPhone or Android device: Please use this URL to join: <https://zoom.us/j/91599238820>  
**Project Description:** Consistent with Government Code Sec. 65403(c), the City Council of the City of Arcata will review, revise as necessary, and adopt by resolution, the annual revision to the five-year Capital Improvement Program. The annual revisions include an extension of the program for an additional year to update the five-year program.

**Project Type:** Land Use Code Text Amendment  
**Location / Assessor's Parcel Numbers / Property Owner:** Proposed amendments apply City-wide.  
**Proponent:** City of Arcata  
**Zoning AND GENERAL PLAN:** Varies by project.  
**Coastal Status:** Some of the projects may be located within the Coastal Zone. The City will determine if a Coastal Development Permit is required prior to initiating individual projects.  
**Environmental:** Proposed projects under the Capital Improvement Program will be evaluated individually under the California Environmental Quality Act (CEQA) and/or the National Environment-

tal Policy Act (NEPA) as appropriate. Adoption of the Capital Improvement Program does not commit the City to implementing the projects, but does allow the City to consider budgeting, pursuing funding, and ensuring the projects are consistent with the General Plan. As such, the Capital Improvement Program is not a project pursuant to Section 15378 of the CEQA Guidelines.  
**NOTICE IS FURTHER GIVEN** that anyone desiring to present testimony regarding said project may do so prior to or at the public hearing noticed herein.  
**NOTICE IS FURTHER GIVEN** that the information regarding the proposed project and environmental determination may be reviewed at the Community Development Department at Arcata City Hall, 736 F

Street, Arcata on weekdays between the hours of 11:00 a.m. and 5:00 p.m., or by phone: 707-822-5955. Contact person: David Loya, Director.  
**NOTICE IS FURTHER GIVEN** City Council's action on this amendment is final and is not appealable.  
**NOTICE IS FURTHER GIVEN** that, pursuant to §1094.5 of the California Code of Civil Procedure, "If you challenge City action on a proposed project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the hearing body at, or prior to, the public hearing(s)."  
Published 5-12-21 MRU 5/12



**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00314  
The following person(s) is (are) doing business as:  
**HEALTH COACH TIMMI**  
1360 PATRICKS POINT DRIVE  
TRINIDAD, CA 95570  
P.O. BOX 732  
TRINIDAD, CA 95570  
**COUNTY OF HUMBOLDT**  
**TIMOTHY W. JACKSON**  
1360 PATRICKS POINT DRIVE  
TRINIDAD, CA 95570  
CONDUCTED BY:

AN INDIVIDUAL  
**S/TIMOTHY "TIMMI" JACKSON**  
**SOLE PROPRIETOR**  
This statement was filed with the Humboldt County Clerk on MAY 3, 2021  
KELLY E. SANDERS  
KT, DEPUTY CLERK  
5/12, 5/19, 5/26, 6/2

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00318  
The following person(s) is (are) doing business as:  
**G G STUDIO CREATIONS**  
1305 LESLIE ROAD  
EUREKA, CA 95503  
**COUNTY OF HUMBOLDT**  
**GISELE M. COX**  
1305 LESLIE ROAD  
EUREKA, CA 95503  
CONDUCTED BY:

AN INDIVIDUAL  
**S/GISELE M. COX**  
**OWNER**  
This statement was filed with the Humboldt County Clerk on MAY 4, 2021  
KELLY E. SANDERS  
TN, DEPUTY CLERK  
5/12, 5/19, 5/26, 6/2

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00313  
The following person(s) is (are) doing business as:  
**TRUE MOTION FITNESS**  
1125 16TH STREET, SUITE 206  
ARCATA, CA 95521  
**COUNTY OF HUMBOLDT**  
**DAVID A. RAMSIER**  
118 REDMOND ROAD  
EUREKA, CA 95503  
CONDUCTED BY:

AN INDIVIDUAL  
**S/DAVID RAMSIER**  
**OWNER**  
This statement was filed with the Humboldt County Clerk on MAY 3, 2021  
KELLY E. SANDERS  
TN, DEPUTY CLERK  
5/12, 5/19, 5/26, 6/2

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00313  
The following person(s) is (are) doing business as:  
**TRUE MOTION FITNESS**  
1125 16TH STREET, SUITE 206  
ARCATA, CA 95521  
**COUNTY OF HUMBOLDT**  
**DAVID A. RAMSIER**  
118 REDMOND ROAD  
EUREKA, CA 95503  
CONDUCTED BY:

AN INDIVIDUAL  
**S/DAVID RAMSIER**  
**OWNER**  
This statement was filed with the Humboldt County Clerk on MAY 3, 2021  
KELLY E. SANDERS  
TN, DEPUTY CLERK  
5/12, 5/19, 5/26, 6/2

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00271  
The following person(s) is (are) doing business as:  
**APO.GE**  
4915 S. QUARRY RD.  
BAYSIDE, CA 95524  
**COUNTY OF HUMBOLDT**  
**APO GE, LLC**  
CA 20191231011  
1632 BROADWAY ST. #135  
EUREKA, CA 95501  
CONDUCTED BY:

A LIMITED LIABILITY COMPANY  
**S/COLLEEN POE**  
**CEO**  
This statement was filed with the Humboldt County Clerk on APRIL 12, 2021  
KELLY E. SANDERS  
TN, DEPUTY CLERK  
5/5, 5/12, 5/19, 5/26

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00245  
The following person(s) is (are) doing business as:  
**EMERALD DRAGON**  
6108 JACOBY CREEK ROAD  
BAYSIDE, CA 95524  
**COUNTY OF HUMBOLDT**  
**FAREED A. AHMED**  
6108 JACOBY CREEK ROAD  
BAYSIDE, CA 95524  
CONDUCTED BY:

AN INDIVIDUAL  
**S/FAREED ATIQ AHMED**  
**SOLE PROPRIETOR/SOUL DIRECTOR**  
This statement was filed with the Humboldt County Clerk on APRIL 5, 2021  
KELLY E. SANDERS  
SC, DEPUTY CLERK  
5/5, 5/12, 5/19, 5/26

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00285  
The following person(s) is (are) doing business as:  
**CORNERSTONE TROPICALS**  
2308 GARNET STREET  
ARCATA, CA 95521  
**COUNTY OF HUMBOLDT**  
**JONATHAN D. WITKOP**  
2308 GARNET STREET  
ARCATA, CA 95521  
CONDUCTED BY:

AN INDIVIDUAL  
**S/JONATHAN WITKOP**  
**OWNER**  
This statement was filed with the Humboldt County Clerk on APRIL 20, 2021  
KELLY E. SANDERS  
SC, DEPUTY CLERK  
5/5, 5/12, 5/19, 5/26

**FICTITIOUS BUSINESS NAME STATEMENT**  
21-00246  
The following person(s) is (are) doing business as:  
**CANNABASE DIRECT**

for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

¡AVISO! Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de que la corte pueda desechar el caso.

The name and address of the court is (El nombre y dirección de la corte es): SUPERIOR COURT OF CALIFORNIA COUNTY OF HUMBOLDT, 825 Fifth Street, Eureka, CA 95501-1153

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): REESE LAW GROUP, D. Wilson Jordan, Esq. (Bar #279959), 3168 Lionshead Avenue, Carlsbad, CA 92010; 760/842-5850 (File No. 562977)

DATE (Fecha): 1-31-20

KIM M. BARTLESON, Clerk (Secretario), by Shayla B., Deputy (Adjunto) (SEAL)

4/21, 4/28, 5/5, 5/12/21  
CNS-3459624#  
MAD RIVER UNION

**NOTICE OF PETITION TO ADMINISTER ESTATE OF BOB WINOGRADOV**  
**CASE NO.: PR2100089**  
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of:

**BOB WINOGRADOV**  
**A Petition for Probate** has been filed by: ALYSSA WINOGRADOV in the Superior Court of California, County of HUMBOLDT.

The Petition for Probate requests that: ALYSSA WINOGRADOV be appointed as personal representative to administer the estate of the decedent.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take any actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

**A hearing on the petition will be held in this court as follows:**

Date: June 17, 2021  
Time: 2:00 PM  
Dept.: 6  
Address of court: Superior Court of California, County of Humboldt, 825 Fifth Street, Eureka, CA, 95501.

**THIS HEARING WILL BE CONDUCTED ONLINE AND MAY BE ATTENDED THROUGH ZOOM. COURT PROCEEDINGS MAY BE ACCESSED ON THE COURT'S WEBSITE AT https://www.humboldt.courts.ca.gov.**

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) **four months** from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) **60 days** from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

**Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.**

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a formal Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for the petitioner: DUSTIN E. OWENS OWENS & ROSS 310 THIRD ST. SUITE D EUREKA, CA 95501 (707) 441-1185 5/5, 5/12, 5/19

**SUMMONS (CITACION JUDICIAL)**  
**CASE NUMBER: CV2100214**  
**NOTICE TO DEFENDANT:** MATTHEW ZANONE dba ZANONE CONSTRUCTION & LOGGING, and Does 1 to 50  
**YOU ARE BEING SUED BY PLAINTIFF (LO ESTÁ DEMANDANDO EL DEMANDANTE):** L & M RENNER, INC. dba RENNER PETROLEUM; VALLEY PACIFIC PETROLEUM SERVICES, INC.  
**NOTICE!** You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien

un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. AVISO: Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso. The name and address of the court is (El nombre y dirección de la corte es): Humboldt Co. Superior Court 8235 Fifth St. Eureka, CA 95501 The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): GUBLER & ABBOTT 1110 N. Chinoweth Street Visalia, CA 93291 Kim L. Bartleson, Clerk, by Shenazo, Deputy Date: Feb. 17, 2021 4/21, 4/28, 5/5, 5/12

**ORDER TO SHOW CAUSE FOR CHANGE OF NAME MARSHA ANN CHANDLER**  
**SUPERIOR COURT OF CALIFORNIA COUNTY OF HUMBOLDT**  
**CASE NO. CV2100522**  
**TO ALL INTERESTED PERSONS:**

1. Petitioner has filed a petition with this court for a decree changing names as follows: Present name: **MARY MARSHA ANN WILL** to Proposed name: **MARSHA ANN CHANDLER**

2. THE COURT ORDERS that all persons interested in this matter appear before this court, located at 825 5th Street, Eureka, California, at the hearing indicated below to show cause, if any, why the application should not be granted. Any person objecting to the name changes described above must file a written objection that includes the reasons for the objection at least two court days before the matter is scheduled to be heard and must appear at the hearing to show cause why the petition should not be granted. If no written objection is timely filed, the court may grant the petition without a hearing.

Date: JUNE 4, 2021  
Time: 1:45 p.m.  
Dept.: 4

For information on how to appear remotely for your hearing, please visit https://www.humboldt.courts.ca.gov/.

3. A copy of this Order to Show Cause shall be published at least once a week for four successive weeks prior to the date set for hearing on the petition in the following newspaper of general circulation, printed in this county: Mad River Union. Date: APRIL 19, 2021  
KELLY L. NEEL  
Judge of the Superior Court  
4/28, 5/5, 5/12, 5/19, 5/26

**NOTICE OF PETITION TO ADMINISTER ESTATE OF EUGENE O. WRIGHT**  
**CASE NO.: PR2100109**  
To all heirs, beneficiaries, creditors, contingent creditors, and persons who may otherwise be interested in the will or estate, or both, of:

**EUGENE O. WRIGHT**  
**An Amended Petition for Probate** has been filed by: CHARLES WRIGHT in the Superior Court of California, County of HUMBOLDT.

The Petition for Probate requests that: CHARLES WRIGHT be appointed as personal representative to administer the estate of the decedent.

The petition requests the decedents will and codicils, if any, be admitted to probate. The will and any codicils are available for examination in the file kept by the court.

The petition requests authority to administer the estate under the Independent Administration of Estates Act. (This authority will allow the personal representative to take any actions without obtaining court approval. Before taking certain very important actions, however, the personal representative will be required to give notice to interested persons unless they have waived notice or consented to the proposed action.) The independent administration authority will be granted unless an interested person files an objection to the petition and shows good cause why the court should not grant the authority.

**A hearing on the petition will be held in this court as follows:**

Date: MAY 27, 2021  
Time: 2:00 PM  
Dept.: 6  
Address of court: Superior Court of California, County of Humboldt, 825 Fifth Street, Eureka, CA, 95501.

**THIS HEARING WILL BE CONDUCTED ONLINE AND MAY BE ATTENDED THROUGH ZOOM. COURT PROCEEDINGS MAY BE ACCESSED ON THE COURT'S WEBSITE AT https://www.humboldt.courts.ca.gov.**

If you object to the granting of the petition, you should appear at the hearing and state your objections or file written objections with the court before the hearing. Your appearance may be in person or by your attorney.

If you are a creditor or a contingent creditor of the decedent, you must file your claim with the court and mail a copy to the personal representative appointed by the court within the later of either (1) **four months** from the date of first issuance of letters to a general personal representative, as defined in section 58(b) of the California Probate Code, or (2) **60 days** from the date of mailing or personal delivery to you of a notice under section 9052 of the California Probate Code.

**Other California statutes and legal authority may affect your rights as a creditor. You may want to consult with an attorney knowledgeable in California law.**

You may examine the file kept by the court. If you are a person interested in the estate, you may file with the court a formal Request for Special Notice (form DE-154) of the filing of an inventory and appraisal of estate assets or of any petition or account as provided in Probate Code section 1250. A Request for Special Notice form is available from the court clerk.

Attorney for the petitioner: TIMOTHY J. WYKLE MATHEWS, KLUCK, WALSH, WYKLE & LATT, LLP 100 M STREET EUREKA, CA 95501 (707) 442-3758 5/5, 5/12, 5/19

**CITY OF ARCATA COMBINED NOTICE OF ARCATA PLANNING COMMISSION PUBLIC HEARING**

**AND CITY COUNCIL PUBLIC HEARING FOR A LAND USE CODE AMENDMENT**  
**NOTICE IS HEREBY GIVEN** that the Arcata Planning Commission will conduct a Public Hearing on Tuesday, May 25, 2021, beginning at 6:00 p.m., or as soon thereafter as can be heard, to consider a recommendation to the City Council on the project listed below.

**How to Observe and Participate in the Planning Commission Meeting:**  
Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and the Humboldt County Public Health Officer's March 19, 2020, Shelter-in-Place Order, the Planning Commission's meeting location will not be physically open to the public, and Planning Commissioners will be teleconferencing into the meeting via Zoom Video Communications. The Zoom link and additional connection, viewing, and participation options can also be found on the Agenda at http://arcataca.igm2.com/Citizens/default.aspx.

Members of the public may access the Zoom meeting directly to observe the hearing or provide public comment.

Join from a PC, Mac, iPad, iPhone or Android device at: Please use this URL to join: https://zoom.us/j/96498107422.

**NOTICE IS FURTHER GIVEN** that the Arcata City Council will conduct a Public Hearing on Wednesday, June 2, 2021, beginning at 6:00 p.m., or as soon thereafter as can be heard, to consider a taking action on the project listed below.

**How to Observe and Participate in the City Council Meeting:**  
Consistent with Executive Orders N-25-20 and N-29-20 from the Executive Department of the State of California and the Humboldt County Public Health Officer's March 19, 2020, Shelter-in-Place Order, the City Council's meeting location will not be physically open to the public, and Council Members will be teleconferencing into the meeting via Zoom Video Communications. The Zoom link and additional connection, viewing, and participation options can also be found on the Agenda at http://arcataca.igm2.com/Citizens/default.aspx.

Members of the public may access the Zoom meeting directly to observe the hearing or provide public comment.

Join from a PC, Mac, iPad, iPhone or Android device: Please use this URL to join: https://zoom.us/j/91755087904.

**PROJECT DESCRIPTION:** Land Use Code (Code) text amendments that amends the Formula Restaurant zoning regulations in Code Section 9.42.164, eliminating certain geographic requirements, but maintaining a limitation on the total number of formula restaurants allowed within the City. In addition, Code Section 9.100.20, Glossary, to amend the definitions of Restaurant, Café, Coffee Shop and Formula Restaurant, as well as other minor amendments to ensure consistency among regulation of accessory uses.

**PROJECT TYPE:** Land Use Code Text Amendment

**LOCATION / ASSESSOR'S PARCEL NUMBERS / PROPERTY OWNER:** Proposed amendments apply City-wide.

**APPLICANT:** City of Arcata

**FILE NUMBER:** 201-027 – Land Use Code Amendment

**ZONING AND GENERAL PLAN:** Affects commercial zoning districts where Restaurant, Café, Coffee Shop is allowed pursuant to 9.26.

**COASTAL STATUS:** Some of the properties subject to these standards are located within the Coastal Zone. This amendment does not modify the Local Coastal Program.

**ENVIRONMENTAL:** Proposed Land Use Code amendments are exempt from California Environmental Quality Act (CEQA) environmental review pursuant to Section 15061(b)3, and based on the City's adopted Environmental Impact Report for the General Plan and Land Use Code. Proposed text amendments to the Land Use Code would not cause a significant effect on the environment because it affirms baseline conditions. The uses affected are principally permitted activities that are already allowed within the zoning districts. The amendments largely clarify definitions and eliminate constraints by geography, but do not allow new uses not currently allowed.

**NOTICE IS FURTHER GIVEN** that anyone desiring to present testimony regarding said project may do so prior to or at the public hearing noticed herein.

**NOTICE IS FURTHER GIVEN** that the information regarding the proposed project and environmental determination may be reviewed at the Community Development Department at Arcata City Hall, 736 F Street, Arcata on weekdays between the hours of 11:00 a.m. and 5:00 p.m., or by phone: 707-822-5955. Contact person: David Loya, Director.

**NOTICE IS FURTHER GIVEN** City Council's action on this amendment is final and is not appealable.

**NOTICE IS FURTHER GIVEN** that, pursuant to §1094.5 of the California Code of Civil Procedure, "if you challenge City action on a proposed project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the hearing body at, or prior to, the public hearing(s)." Published 5-12-21 MRU 5/12

**CITY OF ARCATA LEGAL NOTICE ADOPTION OF ORDINANCE NO. 1545**  
I hereby certify that at a regular meeting held on April 21, 2021, the Arcata City Council introduced Ordinance No. 1545, summarized below, An Ordinance of the City Council of the City of Arcata Amending Article 3 in Chapter 2, Title VI of the Arcata Municipal Code to Regulate Short-Stay and Vacation Rentals, at which time the reading in full thereof was waived and approval granted for reading the ordinance by title only. Ordinance No. 1545 was passed and adopted at a regular City Council meeting held on May 5, 2021 by the following roll call vote: AYES: Watson, Atkins-Salazar, Goldstein, Schaefer. NOES: None. ABSENT: Pereira. ABSTENTIONS: None.

APPROVED: Brett Watson, Vice Mayor, City of Arcata.

ATTEST: Bridget Dory, City Clerk, City of Arcata

**Summary of Ordinance No. 1545**  
This ordinance amends the short-stay and vacation rentals ordinance (No. 1543) to better reflect the City Council's intent regarding exemptions from the citywide 100-unit cap. The ordinance also amends the Permit Limitation Grace Period during which an operator must have been in business to be able to obtain a permit, from "during the prior 12-month period" to "during 2020"

The full text of Ordinance No. 1545 is available for public inspection at the office of the City Clerk, Arcata City Hall, 736 F Street, Arcata, California, Monday through Friday, between 9:00 a.m. and 5:00 p.m. The ordinance will take effect June 4, 2021, BY ORDER OF THE CITY COUNCIL OF THE CITY OF ARCATA. Dated: May 5, 2021. Bridget Dory, City Clerk, City of Arcata 5/12



• FICTITIOUS BUSINESS NAME STATEMENTS  
• NAME CHANGES  
• PETITION TO ADMINISTER ESTATES  
• SUMMONS

EMAIL: LEGALS@MADRIVERUNION.COM

**RUN YOUR LEGAL ADS IN THE MAD RIVER UNION**





Arcata Play Center reopening offers safe, comfortable outdoor playtime

ARCATA – The Arcata Recreation Division is excited to announce that Arcata Play Center reopened on Monday, May 10.

With funding provided by First 5 Humboldt, Arcata Play Center will offer a free outdoor playgroup for caregivers with children newborn to 5 years.

This playgroup will provide a safe and comfortable environment for newborns and young children to learn important playtime social skills and will give caregivers the opportunity to gain support from each other.

Playgroup activities include drawing, books, tricycles, dress up, blocks, play kitchen, musical instruments and more.

Precautions will be in place to ensure compliance with State and County COVID-19 health and safety regulations including:

- Facial coverings for everyone age 2 and up and physical distancing of at least six feet between caregiver groups or pods is required.
- Families and caregivers must wait 14 days before attending if they have any COVID-19 symptoms or have been exposed to people with symptoms or to known positive COVID-19 cases.
- Participants must notify Arcata Play Center's playgroup leaders if they experience COVID-19 symptoms after attending or learn that they had been exposed to COVID-19 prior to attending.
- This outdoor playgroup is not recommended for children with additional COVID-19 risk factors, or families in close contact with high risk adults.

Weather permitting, Arcata Play Center's outdoor playgroup will meet every Monday, Tuesday and Wednesday, from 10 a.m. to 12 p.m. outside at the D Street Neighborhood Center, located at 1301 D Street in Arcata. Bilingual Spanish-speaking playgroup facilitators will be present.

Arcata Play Center is invested in Ages & Stages developmental screening for children, which is the number one developmental and social-emotional screening system used to give kids a great start in life.

Developmental screening and enrichment resources will be available to parents and caregivers with concerns about the impacts of the pandemic on their child's development.

For more information, please visit [cityofarcata.org](http://cityofarcata.org) or call (707) 822-7091.



COAST CENTRAL CREDIT UNION



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YOU  
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